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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,260	05/25/2001	Toshiharu Kido	1046.1253	3211

21171 7590 07/28/2005

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EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/864,260

Applicant(s)

KIDO, TOSHIHARU

Examiner

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 15-29, 33-43, 47, 48 and 51-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 15-29, 33-43, 47-48, 51-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-10,15-29,33-43,47-48,51-56 are pending in this application.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/14/2005 has been entered, and a non-final Office action is as follows:
 3. Examiner acknowledges applicant's amendment filed on 12/9/2004.
 4. Claims 11-14,30-32,44-46,49-50 have been cancelled [12/9/2004]
 5. Claims 1,15,21,34-35,48,51-56 have been amended [12/9/2004].
6. In view of applicant cancelled claims 11-14,amended claim 15,52, rejection under 35 USC § 101 as set fourth in the previous office action is hereby withdrawn.
7. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/2004 has been entered, and a non-final Office action mailed on 9/9/2004
 8. Examiner acknowledges applicant's amendment filed on 6/08/2004.
 9. Claims 1,11,15,21,30,34,35,44,48,51-56 have been amended dated 6/8/04.

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10. Examiner acknowledges applicant's amendment filed on 1/15/2004, paper no.6.
11. Claims 1,11-15,21,34-50 have been amended, paper no. # 6.
12. Claims 51-56 have been added, paper no. # 6.
13. Examiner acknowledges applicant's "new Abstract" at page, paper no. # 6.

Drawings

14. The drawings filed on 8/4/2002 are approved by the Draftsperson under 37 CFR 1.84 or 1.152.

Information Disclosure Statement

15. The information disclosure statement filed on 8/13/2001, paper no. # 2, 6/12/2002, paper no. # 3, has been considered, a copy of PTO-1449 is herewith enclosed with this office action, paper no. # 4.

Priority

16. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) based on Japanese Patent Application No. 2000-374801 filed on 12/8/2000. The certified copy has been filed in parent Application No. 09/864,260, filed on 5/25/2001.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1-10,15-29,33-43,47-48,51-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legall, et al., WO 98/43183 [hereafter Legall] in view of Snyder, US Patent No. 6643641 filed on April 27,2000.

18. As to Claims 1,21,35, 51, 53,55, Legall teaches a system which including 'an information processing system' [fig 1], 'a storage unit storing information' [fig 1, element 130], storing unit corresponds to Legall's memory as detailed in fig 1,

'a control unit' [fig 1, element 130], control unit corresponds to Legall's CPU, element 130, page 4, line 14-16] comprising a location information identifying unit searching information specifying a data store destination storing location information where data exists' [page 5, line 9-16], Legall specifically teaches information is being identified, it allows to access variety both external or internal databases as detailed in page 5, line 13-16, data store destination storing location corresponds to external or internal resources that including all variety of databases;

'a searching unit searching said locating information in said data store destination' [page 5, line 13-16,page 6, line 2-5], Legall specifically teaches search engine to search the World Wide Web;

'a judging unit judging whether the data located by the locating information comes under a predetermined category' [page 4, line 18-25, page 5, line 1-2, line 8-13, page 8, line 8-12, fig 3C], it is noted that Legall specifically teaches categories, sub categories that including data or topic or information listed based on the user query, especially user query having keyword(s), 'said data file containing the data' [fig 2, element 215], data file containing the data corresponds to Legall's fig 2, element 215

'wherein said storage unit, when the data is judged to come under the predetermined category, stores the locating information to collect pieces of locating information for locating where the data exist' [page 7, line 19-26, page 8, line 1-8].

It is however, noted that Legall does not specifically teach 'file identifier indicating one of a plurality of categories of data in a data file containing the data located by the locating information', although Legall suggests searching variety of categories, subcategories that including topics, audio, video, HTML web pages, further displaying multiple web sites as detailed in page 11, line 3-16.

On the other hand, Snyder disclosed 'file identifier indicating one of a plurality of categories of data in a data file containing the data located by the locating information' [col 5, line 61-65, col 7, line 39-42, col 15, line 49-50, col 17, line 51-57, col 25, line 4-7, line 23-24, col 32, line 53-61], Snyder specifically teaches file identifier that corresponds to "HTML, GIF, JPG, jpg , see fig 2] associated with respective data stored and cross referenced to the criteria in the database that identifies the corresponding web page or document [see col 5, line 61-65], further it is noted that Snyder specifically

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teaches web search engine with graphic information , therefore, Snyder teaches file identifier indicating different categories of data, and storing the same.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search of electronic program guide, internet and other information resources of Legall because both Legall, Snyder are directed to storing, search, accessing information over a network, more specifically both are directed to searching variety of information over internet [see Legall: page 2, fig 1; Snyder: fig 1-3,], and both are directed to user interface where user issues search criteria, particularly, Snyder's object is for searchable data files, for example html data pages, including text and linked graphics [Snyder: col 4, line 62-67]

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search where user to select from predetermined categories such as title or subject of Legall because that would have allowed users of Legall to specifically search file extensions and associated data categories, as a result search results appears on the users browser include links to the web pages as suggested by Snyder [col 6, line 23-27].

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19. As to Claim 2, Legall teaches a system which including 'a communication unit for accessing a network, or a communication connection module through which said communication unit is connected' [Legall: fig 3A, page 7, line 9-15;., Legall specifically teaches for example search tool or search engine that interacts with different information resources such as internet, cable broadcast, satellite broadcast that corresponds to communication connection or communication unit for accessing a network, 'control unit searches the locating information retained in other information processing system on the network' [page 6, line 2-4, 19-27, page 7, line 1-5, fig 3a-3b], Legall directed to searching on network, more specifically searching information using Internet such as Yahoo that corresponds to information processing, querying or searching on the network, further Legall also suggests user can switch from one web site to another seamlessly for searching required information as detailed in page 6, line 19-27.

20. As to Claim 3, Legall teaches a system which including 'communication unit receives a selection criterion for selecting the data' [fig 3A], 'control unit judges whether or not the data is coincident with the selection criterion and collects pieces of locating information tracing to the data coincident with the selection criterion' [fig 3Bpage 7, line 9-24].

21. As to Claim 4, 38, Legall teaches a system which including 'input unit receives an input of the selection criterion for selecting the data' [fig 1, element 115, fig 3A-3B, line 18-25] selection criterion for selecting the data corresponds to fig 3A, element 314; 'control unit judges whether or not the data is coincident with the selection criterion and collects pieces of locating information tracing to the data coincident with the selection criterion' [fig 3B, page 7, line 9-24].

22. As to Claim 5, Legall teaches a system which including 'communication unit receives a request for collecting the locating information from a terminal device connected to the network' [fig 1], 'control unit gets the collected locating information displayed on said terminal device' [fig 3B].

23. As to Claim 6,25-26, 39-40, Legall teaches a system which including display unit for displaying the information, or a first connection module through which said display unit is connected' [fig 1, fig 3B], Legall specifically teaches displaying various information based on user search criterion as detailed in fig 3B, 'control unit gets the collected locating information displayed on said display unit' [page 7, line 23-26, page 8, line 1-2, fig 3B].

24. As to Claim 7, 10, 27, 41, Legall teaches a system which including 'control unit searches character information related to the data, and gets the character information displayed in a way of being combined with the locating information' [page 8, line 1-6, line 17-20].

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25. As to Claim 8, 28, 42, Legall teaches a system which including 'categories of the data are still image data, sound data, animated image data, text data, or combinations thereof' [page 7, line 23-26].

26. As to Claim 9, Legall teaches a system which including 'an input unit' [fig 1, element 115], 'a display unit displaying information, or a first connection module through which said display unit is connected' [fig 1, fig 3B], display unit corresponds to fig 1, element 120, Legall specifically teaches displaying various information based on user search criterion as detailed in fig 3B, 'a sound output unit outputting sounds, or a second connection module through which said sound output unit is connected' [page 7, line 25-26, fig 3A, element 328]; sound output unit outputting sounds corresponds to fig #A, element 328; 'wherein said control unit, when commanded to output the data via said input unit, gets the content described by the data outputted to said display unit or said sound output unit' [fig 3A, line 15-26].

27. As to Claim 15, 34,48, 52,54,56, Legall teaches a system which including 'a communication unit accessing a network,[Legall specifically teaches connecting to world wide web, fig 1, element 110, fig 3A, element 312],

'a computer processor programmed by programming modules to control the system,[fig 1, page 4, line 14-18], Legall specifically teaches computer processor and typically BIOS as detailed in fig 1;

the programming modules comprising a communication connection module through which said communication unit is connects the system to the network [fig 3A, page 7, line 9-15], accessing a network or communication connection corresponds to Legall's search engine connected though either Internet or www or cable broadcast, or satellite broadcast or combination of thereof as detailed in fig 3A, ELEMENT 312,310,308;

'a locating information identifying unit searching information specifying a data store destination storing locating information for locating where data exists' [page 5, line 9-16], Legall specifically teaches information is being identified, it allows to access variety both external or internal databases as detailed in page 5, line 13-16, data store destination storing location corresponds to external or internal resources that including all variety of databases;

'a searching unit searching said locating information in said data store destination' [page 5, line 13-16, page 6, line 2-5], Legall specifically teaches search engine to search the world wide web;

'a judging unit judging whether the daa located by the locating information comes under a predetermined category' [page 4, line 18-25, page 5, line 1-2, line 8-13, page 8, line 8-12, fig 3C], it is noted that Legall specifically teaches categories, sub categories that including data or topic or information listed based on the user query, especially user query having keyword(s), 'said data file containing the data' [fig 2, element 215], data file containing the data corresponds to Legall's fig 2, element 215

'a storage unit storing a list of the data judged to come under a predetermined category as a condition of the data', [page 7, line 19-26, page 8, line 1-8];

'a sequence determining unit determining a sequence of reproducing the content data searched' [see Abstract, page 11, line 3-17], Legall specifically teaches for example multiple web sites that met the search criteria are being presented such as web site URL(s) as detailed in page 11, line 9-13;

'a reproduction control unit controlling the reproduction of the content data in accordance with the reproducing sequence' [page 11, line 17-26, page 12, line 1-7];

'an output device outputting the reproduced content data to a user' [fig 3A, element 330, page 7, line 18-23].

Further as to Claim 54,56 limitation 'searching, in the locating information of the data store destination, content data coincident with a predetermined condition' [col 11, line 9-16], Legall specifically teaches firstly search is performed on the EPG using search tool as detailed at page 10, line 24-25, secondly, search or query may be performed using keywords and combination of logical operators or simply operators such as AND, OR, NOT and like that corresponds to search predetermined condition as detailed in page 13, line 8-11; thirdly, data coincident with predetermined condition is integral part of Legalli's teaching because the search results produce multiple result(s) that meet search criteria as detailed in page 11, line 9-13.

It is however, noted that Legall does not specifically teach 'file identifier in a data file containing the data located by the locating information', although Legall suggests searching variety of categories, subcategories that including topics, audio, video, HTML web pages, further displaying multiple web sites as detailed in page 11, line 3-16.

On the other hand, Snyder disclosed 'file identifier indicating one of a plurality of categories of data in a data file containing the data located by the locating information' [col 5, line 61-65, col 7, line 39-42, col 15, line 49-50, col 17, line 51-57, col 25, line 4-7, line 23-24, col 32, line 53-61], Snyder specifically teaches file identifier that corresponds to "HTML, GIF, JPG, jpg, see fig 2] associated with respective data stored and cross referenced to the criteria in the database that identifies the corresponding web page or document [see col 5, line 61-65], further it is noted that Snyder specifically teaches web search engine with graphic information , therefore, Snyder teaches file identifier indicating different categories of data, and storing the same.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search of electronic program guide, internet and other information resources of Legall because both Legall, Snyder are directed to storing, search, accessing information over a network, more specifically both are directed to searching variety of information over internet [see Legall: page 2, fig 1; Snyder: fig 1-3,], and both are directed to user interface where user issues search criteria, particularly, Snyder's object is for

searchable data files, for example html data pages, including text and linked graphics [Snyder: col 4, line 62-67].

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search where user to select from predetermined categories such as title or subject of Legall because that would have allowed users of Legall to specifically search file extensions and associated data categories , as a result search results appears on the users browser include links to the web pages as suggested by Snyder [col 6, line 23-27].

28. As to Claim 16, Legall teaches a system which including content data are retained in other system accessible via a network' [see fig 3A], network corresponds to Internet or WWW.

29. As to Claim 17, Legall teaches a system which including 'predetermined condition is specified by a user' [page 9, line 2-18].

30. As to Claim 18, Legall teaches a system which including 'predetermined condition is to specify a specific genre of the content' [page 9, line 19-25].

31. As to Claim 19, Legall teaches a system which including 'predetermined condition is to specify a specific data category' [page 10, line 3-5].

32. As to Claim 20, Legall teaches a system which including 'content data are stream data' [page 11, line 3-13].

33. As to Claim 22, 36, Legall teaches a system which including ' data are stored in an information processing system on the network' [see fig 1-3].

34. As to Claim 23-24, 33, 37, 47, Legall teaches a system which including 'receiving a selection criterion for selecting the data' [page 6, line 21-25], 'judging whether or not the data is coincident with the selection criterion, wherein pieces of locating information tracing to the data coincident with the selection criterion are collected' [fig 3B, page 7, line 9-24].

35. As to Claim 29,43,, Legall teaches a system which including 'selecting the data indicated by the locating information' [page 6, line 24-27, page 7, line 1-5], 'giving a command to output the data' [page 8, line 17-26]. 'outputting the content ' [fig 2], Legall specifically teaches displaying the content that corresponds to outputting the content on the screen or window.

Response to Arguments

36. Applicant's arguments filed on 6/14/2005 with respect to claims 1-10,12-13,15-29,33-43,47-48,51-56 have been fully considered but they are not persuasive, for examiners' response, see discussion below:

a) At page 13, claims 1,15,21,34,35,48,51-56,applicant argues that the claimed present invention provides that a file identifier is information that specifies data type (image data, voice or sound data, moving image data, text data, or any combinations of these kinds of data"

As to the above argument [a], It is however, noted that Legall does not specifically teach 'file identifier in a data file containing the data located by the locating information', although Legall suggests searching variety of categories, subcategories that including topics, audio, video, HTML web pages, further displaying multiple web sites as detailed in page 11, line 3-16.

On the other hand, Snyder disclosed 'file identifier indicating one of a plurality of categories of data in a data file containing the data located by the locating information' [col 5, line 61-65,col 7, line 39-42, col 15, line 49-50, col 17,line 51-57, col 25, line 4-7, line 23-24, col 32, line 53-61], Snyder specifically teaches file identifier that corresponds to "HTML,GIF,JPG, jpg , see fig 2] associated with respective data stored and cross referenced to the criteria in the database that identifies the corresponding

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web page or document [see col 5, line 61-65], further it is noted that Snyder specifically teaches web search engine with graphic information , therefore, Snyder teaches file identifier indicating different categories of data, and storing the same.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search of electronic program guide, internet and other information resources of Legall because both Legall, Snyder are directed to storing, search, accessing information over a network, more specifically both are directed to searching variety of information over internet [see Legall: page 2, fig 1; Snyder: fig 1-3,], and both are directed to user interface where user issues search criteria, particularly, Snyder's object is for searchable data files, for example html data pages, including text and linked graphics [Snyder: col 4, line 62-67]

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Snyder into integrated search where user to select from predetermined categories such as title or subject of Legall because that would have allowed users of Legall to specifically search file extensions and associated data categories , as a result search results appears on the users browser include links to the web pages as suggested by Snyder [col 6, line 23-27].

Similarly dependent claims 2-10,16-20,22- are rejected under 35 U.S.C. 103(a) as being unpatentable over Legall, et al., WO 98/43183 [hereafter Legallin] in view of Snyder, US Patent No. 6643641 filed on April 27,2000.

Conclusion

The prior art made of record

- a. WO 98/43183
- b. US Patent No. 6643641


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- b. US Patent No. 6486892
- c. US Patent No. 6163316
- d. US Patent No. 6351467
- e. US Patent No. 6081263
- f. US Patent No. 6460181
- g. US Patent No. 6486892
- h. WO 00/26762
- i. Aseel Ibrahim et al., Multimodal Dialogue systems for interactive TV applications, publishing date unknown, pp 1-6
- j. US Patent No. 6081840
- k. US Patent No. 6832220

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

SC
Patent Examiner.
July 20, 2005.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER